

UNITED STATES DISTRICT COURT

for the
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America
v.

BILLY JOE CALLIN

Date of Previous Judgment: July 28, 2009
(Use Date of Last Amended Judgment if Applicable)

THIRD AMENDED ORDER

) Case No: 00-80810
) USM No: 28710-077
) Andrew Densemo
) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 168 months is reduced to 133 months*.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: <u>34</u>	Amended Offense Level: <u>32</u>
Criminal History Category: <u>V</u>	Criminal History Category: <u>V</u>
Previous Guideline Range: <u>235</u> to <u>293</u> months	Amended Guideline Range: <u>188</u> to <u>235</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

III. ADDITIONAL COMMENTS

* The Court orders that the Defendant serve 105 months concurrent to the undischarged term of imprisonment on Docket No. 96-CR-071-H-(06) and 28 months consecutive to the 105 months pursuant to Guideline 3C1.3 and 18 U.S.C. § 3147. A 5 year term of supervised release is imposed to run concurrent to any term of supervised release imposed on Docket No. 96-CR-071-H.

Except as provided above, all provisions of the judgment dated 7/28/09 shall remain in effect.

IT IS SO ORDERED.

Order Date: March 15, 2010

Effective Date: _____
(if different from order date)

s/Patrick J. Duggan

Judge's signature
Patrick J. Duggan, U.S. District Judge

Printed name and title